

**CITY OF FREDERICKSBURG
CITY COUNCIL MEETING**

MONDAY, OCTOBER 20, 2014 ~ 7:00 p.m.

Law Enforcement Center ~ 1601 East Main Street

Linda Langerhans, Mayor
Graham Pearson, Council Member
Jerry Luckenbach, Council Member

Gary Neffendorf, Council Member
Bobby Watson, Council Member
Kent Myers, City Manager

(REQUEST ALL PAGERS AND PHONES BE TURNED OFF, EXCEPT EMERGENCY ON-CALL PERSONNEL.)

A G E N D A

CALL TO ORDER

Page Ref

PLEDGE OF ALLEGIANCE.

1. **MINUTES** - Consider approval of minutes of September 2014 City Council meetings 1-8
2. **ORDINANCES - RESOLUTIONS - ACTION ITEMS**
 - A. Ordinance for Emergency Services Cost Recovery (2nd reading) 9-18
3. **INDIVIDUAL ITEMS FOR CONSIDERATION AND POSSIBLE ACTION**
 - A. Receive Update on Skate Park 19-22
 - B. Consider Request for City Funding for WiFi Services on Marktplatz 23-28
 - C. Receive and Consider Update on Water Bond Projects 29-31
4. **CITY MANAGERS REPORT**
 - A. City Council Meeting Time
 - B. Legislative Luncheon
 - C. City Council Retreat
 - D. Chamber of Commerce Banquet
 - E. Employee Recognitions
5. **ITEMS FOR FUTURE AGENDA**
6. **PUBLIC COMMENTS** - This time is for citizens to address the City Council on issues and items of concern not on this agenda. There will be no City Council action at this time.
7. **COUNCIL COMMENTS** - No discussion or action may take place.
8. **EXECUTIVE SESSION** - Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development).
9. A. Executive Session - Consult with Attorney - Receive Update From Schneider Hand Out Engineering on Load Release Program

ADJOURN

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

REGULAR CITY COUNCIL MEETING
SEPTEMBER 2, 2014
7:00 PM

On this the 2nd day of September, 2014, the City Council of the CITY OF FREDERICKSBURG convened in regular session at the Law Enforcement Center, with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
JERRY LUCKENBACH - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER
BOBBY WATSON - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: NONE

ALSO PRESENT: KENT MYERS - CITY MANAGER
SHELLEY BRITTON - CITY SECRETARY
PAT McGOWAN - CITY ATTORNEY
BRIAN JORDAN - DIR OF DEVELOPMENT SERVICES
BRAD KOTT - DIRECTOR OF FINANCE
CLINTON BAILEY - D.P.W.U.
STEVE WETZ - CHIEF OF POLICE
RUSSELL IMMEL - INFORMATION SYSTEMS MANAGER

The meeting was called to order at 7:00 PM, following the Pledge of Allegiance.

CONSENT AGENDA - It was moved by Council Member Watson, seconded by Council Member Pearson, to approve the consent agenda as follows:

1. Approval of FCVB Board Appointments: Brian Heath, Krista Gratigni, and Shannon Hanna.

All voted in favor; motion carried.

APPROVAL OF FY 2014-2015 BUDGET - It was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to approve the FY 2014-2015 Budget as presented and amended. All voted in favor and the motion carried. It was then moved by Council Member Pearson, seconded by Council Member Watson, to waive the second reading and to proceed with the ordinance. All voted in favor and the motion carried.

ORDINANCE NO. 24-015

AN ORDINANCE OF THE CITY OF FREDERICKSBURG, TEXAS, ADOPTING AND APPROVING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND TERMINATING SEPTEMBER 30, 2015, AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT AND ACCOUNT. (Recorded in Ordinance Book)

2014 PROPERTY TAX RATE ORDINANCE – It was moved by Council Member Pearson, seconded by Council Member Luckenbach, to waive the 2nd reading and adopt an ordinance on the 2014 Property Tax Rate. The vote was as follows: YEA: Langerhans, Neffendorf, Watson, Luckenbach, and Pearson; NAY: None. Motion carried.

ORDINANCE NO. 24-016

AN ORDINANCE LEVYING A TAX RATE

FOR THE CITY OF FREDERICKSBURG FOR THE TAX YEAR 2014

Be it ordered and ordained by the City Council of the City of Fredericksburg that we, the City Council of Fredericksburg, do hereby levy and adopt the tax rate on \$100 valuation for this City for the tax year 2014 as follows:

\$0.1992 for the purposes of maintenance and operations

\$0.0490 for the payment of principal and interest on the debt of the City

\$0.2482 total tax rate

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

This ordinance is effective from the date of its passage and publication in accordance with applicable law(s).

Passed and approved this 2nd day of September, 2014.

/s/ Linda Langerhans, Mayor

Attest: /s/ Shelley Britton, City Secretary

ANIMAL CONTROL ORDINANCE FEE ADJUSTMENT - Police Chief Wetz briefed council on the proposed fee adjustment. It was moved by Council Member Watson, seconded by Council Member Pearson, to waive the second reading and to adopt the Animal Control Fee Adjustment as presented. All voted in favor and the motion carried.

ORDINANCE NO. 24-017

AN ORDINANCE AMENDING APPENDIX A - FEE SCHEDULES ARTICLE 4.000 OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG AS TO THE ANIMAL CONTROL IMPOUNDMENT FEES AND CHARGES; ENACTING INCREASED FEES REPEALING INCONSISTENT PROVISIONS AND ESTABLISHING AN EFFECTIVE DATE. (Recorded in Ordinance Book)

ORDINANCE CONCERNING USE OF CITY LANDFILL - Clinton Bailey briefed Council on the proposed ordinance concerning use of the City Landfill. It was moved by Council Member Pearson, seconded by Council Member Luckenbach, to waive the 2nd reading and adopt an ordinance concerning use of the City Landfill. All voted in favor and the motion carried.

ORDINANCE NO. 24-018

AN ORDINANCE AMENDING CHAPTER 8, BUSINESSES, ARTICLE VI, GARBAGE HAULING SERVICE OF THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG, SPECIFICALLY TO ADD SECTION 8-148 USE OF CITY LANDFILL, PROVIDING FOR SEVERABILITY, REPEAL OF INCONSISTENT PROVISIONS, PENALTIES AND AN EFFECTIVE DATE. (Recorded in Ordinance Book)

ORDINANCE CONCERNING USE OF CITY RIGHT-OF-WAY - Council Member Pearson moved, seconded by Council Member Watson, to waive the 2nd reading and adopt an ordinance concerning use of City right-of-way. Council Member Pearson seconded the motion. The vote was as follows: YEA: Langerhans, Watson, Pearson, Neffendorf, and Luckenbach; NAY: None. Motion carried.

ORDINANCE NO. 24-019

AN ORDINANCE TO ESTABLISH UNIFORM RULES AND REGULATIONS GOVERNING THE CONSTRUCTION AND USE OF CITY PUBLIC RIGHTS OF WAY, AND MAY BE KNOWN AS THE "CITY PUBLIC RIGHTS OF WAY MANAGEMENT ORDINANCE". (Recorded in Ordinance Book)

ORDINANCE CONCERNING SOLID WASTE, WASTE WATER, AND ELECTRIC FEES - Council Member Watson moved to waive the 2nd reading and adopt the ordinance regarding solid waste, waste water, and electric fees as presented. All voted in favor and the motion carried.

ORDINANCE NO. 24-020

AN ORDINANCE AMENDING APPENDIX A FEE SCHEDULE ARTICLE 11.702 ELECTRIC RATES, ARTICLE 14.000, GARBAGE AND TRASH FEES, SPECIFICALLY SEC. 14.100 GARBAGE COLLECTION RATES, SECTION 16.000 WATER AND SEWER RATES FEES, SPECIFICALLY SECTION 16.400 SEWER DEPARTMENT UTILITY RATES AND ARTICLE 18.00 FEES FOR SANITARY LANDFILL ESTABLISHING AN EFFECTIVE DATE, REPEALING INCONSISTENT PROVISIONS, AND PROVIDING FOR PARTIAL INVALIDITY. (Recorded in Ordinance Book)

ANNEXATION OF 290 E AREA - It was moved by Council Member Luckenbach, seconded by Council Member Neffendorf, to not proceed with the US Highway 290 E Annexation at this time. The vote was as follows: YEA: Langerhans, Watson, Pearson, Neffendorf, and Luckenbach; NAY: None. Motion carried.

CITY MANAGER'S REPORT - City Manager Kent Myers reported on the (1) September 8 Special City Council Meeting, (2) October City Council Retreat, (3) Consolidated Dispatch Center, (4) and Employee Recognitions, including Tony Robles from the Golf Department for the Golf Course float in the Fair parade, and Lee Dryer, EMS.

PUBLIC COMMENT - Russ Rose commended the PD for not hiring a consultant.

COUNCIL COMMENT - Bobby Watson thanked the Electric Department for their quick response in resetting a power pole after an accident.

EXECUTIVE SESSION - At 8:30 PM, Council Member Luckenbach made a motion to recess the regular session and go into Executive Session. Council Member Pearson seconded the motion, and the motion carried. At 9:00 PM, Council Member Pearson made a motion to adjourn the Executive Session and reconvene the regular session. Council Member Luckenbach seconded, the motion carried.

Following Executive Session, the following actions were taken:

LCRA LITIGATION - No action taken.

WASHBURN PROPERTY - No action taken.

CHARTER AMENDMENT LAWSUIT - No action taken.

With no further business, Council Member Luckenbach made a motion to adjourn the meeting at 9:02 PM. Council Member Neffendorf seconded the motion. All voted in favor and the motion carried.

PASSED AND APPROVED this the 20th day of October, 2014.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

* * * * *

**STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG**

**SPECIAL CITY COUNCIL MEETING
SEPTEMBER 8, 2014
5:30 PM**

On this the 8th day of September, 2014, the City Council of the CITY OF FREDERICKSBURG convened in special session at the Law Enforcement Center, with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
JERRY LUCKENBACH - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: BOBBY WATSON - COUNCIL MEMBER

ALSO PRESENT: KENT MYERS - CITY MANAGER
BRIAN JORDAN - DIR. OF DEVELOPMENT SERVICES
CLINTON BAILEY - D.P.W.U.

JOINT SESSION WITH PLANNING & ZONING COMMISSION AND HISTORIC REVIEW BOARD:

WORKSHOP – Council held a workshop on the Comprehensive Plan Update.

With no further discussion, Council Member Pearson made a motion to adjourn the meeting at 7:00 PM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 20th day of October, 2014.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

* * * * *

**STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG**

**REGULAR CITY COUNCIL MEETING
SEPTEMBER 15, 2014
7:00 PM**

On this the 15th day of September, 2014, the City Council of the CITY OF FREDERICKSBURG convened in regular session at the Law Enforcement Center, with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
GARY NEFFENDORF - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER
BOBBY WATSON - COUNCIL MEMBER

ABSENT: JERRY LUCKENBACH - COUNCIL MEMBER

ALSO PRESENT: SHELLEY BRITTON - CITY SECRETARY
PAT McGOWAN - CITY ATTORNEY
STEVE WETZ - CHIEF OF POLICE
BRIAN JORDAN - DIR DEVELOPMENT SERVICES
KRIS KNEESE - ASST. CITY ENGINEER
ERIC WHITING - INFORMATION TECHNOLOGY SPECIALIST

The meeting was called to order at 7:00 PM following the Pledge of Allegiance.

MINUTES – It was moved by Council Member Watson, seconded by Council Member Pearson, to approve the minutes of the August 2014 City Council meetings as presented. All voted in favor and the motion carried.

PUBLIC HEARING - Z-1408 BY DANIEL AND VERNA FRITZ FOR A CHANGE IN ZONING FROM C-1 NEIGHBORHOOD COMMERCIAL TO C-2 COMMERCIAL ON APPROXIMATELY ONE ACRE OF LAND OUT OF A SIX ACRE TRACT LOCATED AT 402 E CREEK ST - It was moved by Council Member Neffendorf, seconded by Council Member Watson, to adjourn the regular session and open a public hearing on Z-1408 by Daniel and Verna Fritz for a change in zoning from C-1 Neighborhood Commercial to C-2 commercial on approx. one acre of land out of a six acre tract located at 402 E Creek. All voted in favor and the motion carried.

Carroll Bryla, representing the applicant, presented the request. Comments were heard from Dr. Fritz, Dr. Hoffman, and Tom Musselman in favor of the request.

With no further comments from the public, it was moved by Council Member Pearson, seconded by Council Member Watson, to adjourn the public hearing and to reconvene the regular session. All voted in favor and the motion carried.

RECOMMENDATION AND ORDINANCE REGARDING Z-1408 – Dir. of Development Services, Brian Jordan presented the recommendation of the Planning & Zoning Commission.

It was moved by Council Member Pearson, seconded by Council Member Watson, to deny Request for C-2 Zoning and to direct staff to research an amendment to the expansion of Non-Conforming Uses in all zones.

FY 2014 BUDGET AMENDMENTS – Director of Finance Brad Kott presented Budget Amendments for FY 2014. It was moved by Council Member Neffendorf, seconded by Council Member Watson, to approve the 2014 Budget Amendments as presented. The vote was as follows: AYE: Langerhans, Neffendorf, Watson, and Pearson. NAY: None. Motion carried.

CONTRACTS FOR WORK ORDER SYSTEM – It was moved by Council Member Pearson, seconded by Council Member Watson, to award the Contracts for the Work Order and Asset Management System to VUEWorks and to authorize the Director of Public Works & Utilities to enter into the Customer Software License and Professional Services Agreements to provide a GIS-Centric Work Order & Asset Management System and mobile data collection for the City of Fredericksburg. The vote was as follows: YEA: Langerhans, Watson, Pearson, and Neffendorf; NAY: None. Motion carried.

FUTURE AGENDA ITEMS - Lease Purchase Financing will be on an upcoming agenda.

PUBLIC COMMENT - No comments.

COUNCIL COMMENT - No comments.

With no further business, Council Member Watson made a motion to adjourn the meeting at 7:55 PM. Council Member Pearson seconded the motion. Motion carried.

PASSED AND APPROVED this the 20th day of October, 2014.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

* * * * *

STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG

SPECIAL CITY COUNCIL MEETING
SEPTEMBER 22, 2014
5:30 PM

On this the 22nd day of September, 2014, the City Council of the CITY OF FREDERICKSBURG convened in special session at the Law Enforcement Center with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR

BOBBY WATSON - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ABSENT: JERRY LUCKENBACH - COUNCIL MEMBER

ALSO PRESENT: KENT MYERS - CITY MANAGER
CLINTON BAILEY - D.P.W.U.
BRIAN JORDAN - DIR. OF DEVELOPMENT SERVICES

JOINT SESSION WITH PLANNING & ZONING COMMISSION AND HISTORIC REVIEW BOARD:

WORKSHOP – Council held a workshop on the Comprehensive Plan Update.

With no further discussion, Council Member Pearson made a motion to adjourn the meeting at 7:00 PM. Council Member Neffendorf seconded the motion. Motion carried.

PASSED AND APPROVED this the 20th day of October, 2014.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR

* * * * *

**STATE OF TEXAS
COUNTY OF GILLESPIE
CITY OF FREDERICKSBURG**

**SPECIAL CITY COUNCIL MEETING
SEPTEMBER 24, 2014
8:00 AM**

On this the 24th day of September, 2014, the City Council of the CITY OF FREDERICKSBURG convened in special session at the Fire Department Training Room at City Hall with the following members present to constitute a quorum:

LINDA LANGERHANS - MAYOR
BOBBY WATSON - COUNCIL MEMBER
GRAHAM PEARSON - COUNCIL MEMBER

ABSENT: JERRY LUCKENBACH - COUNCIL MEMBER
GARY NEFFENDORF - COUNCIL MEMBER

ALSO PRESENT: KENT MYERS - CITY MANAGER
CLINTON BAILEY - D.P.W.U.

LEADERSHIP GILLESPIE COUNTY - Council and various department heads took part in Leadership Gillespie County.

With no further discussion, Council Member Pearson made a motion to adjourn the meeting at 10:00 AM. Council Member Watson seconded the motion. Motion carried.

PASSED AND APPROVED this the 20th day of October, 2014.

SHELLEY BRITTON, CITY SECRETARY

LINDA LANGERHANS, MAYOR



MEMORANDUM

DATE: October 14, 2014

TO: City Council

FROM: Director of Emergency Services

SUBJECT: Emergency Services Cost Recovery Ordinance (2nd Reading)

Summary:

At the first reading of the Emergency Services Cost Recovery Ordinance there were several corrections suggested by Council. Corrections have been made, terminology has been explained, and the Ordinance is now ready for a second reading. Councilman Watson raised a question regarding how payment would be made if two fire departments responded to an accident -- how would the reimbursements be handled? Firehouse will bill the insurance company on behalf of all departments that participated in the incident (provided they are a part of the Firehouse program). Funds collected from the insurance company would then be dispursed to participating departments on a proportional basis determined by their level of involvement.

Recommendation:

Approval of the Emergency Services Cost Recovery Ordinance and authorize the Fire Department to start billing for services rendered effective with the signing of the ordinance.

The City of Fredericksburg

9

Background / Analysis:

Currently, the Fire Department does not collect any fees for services rendered during an emergency. The Fire Department has a software license with Firehouse. One of the capabilities of this software is to automatically bill the insurance company of the party at fault with information from reports completed by Fire Department personnel. The only additional requirement for the firefighters completing the reports is to get the insurance information from parties at the scene of the accident or fire, as law enforcement personnel currently do. Once their reports are filed, the software will initiate the billing through Firehouse.

Firehouse currently collects 70% of all incidents billed from insurance companies. The collection efforts result in collecting 75% of the total amount billed. Of the amount collected Firehouse will keep 25% as their commission. Fees for service are included in the ordinance but on an average Fire Departments receive \$500 per motor vehicle accident. Fees listed in the ordinance are based on national averages. There are over 50 departments currently utilizing the Firehouse recovery program in the State of Texas.

Billing is direct to the at-fault person's insurance company and not to the individual at fault. The billing has no adverse effect on insurance premiums, the only effect is on the total amount claimed for the accident. Insurance policies have Fire Department expenses built in to their coverage. Incidents which can be billed for services rendered under this program are only those involving insurance claims.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG SPECIFICALLY TO ADD CHAPTER 11 EMERGENCY MANAGEMENT AND SERVICES ARTICLE V EMERGENCY SERVICES COST RECOVERY SECTIONS 11-102 THROUGH 11-104 AND AMENDING APPENDIX A FEE SCHEDULE TO ADD ARTICLE 27 ADOPTING FEES; PROVIDING FOR ENFORCEMENT; SEVERABILITY; REPEALER; AND AN EFFECTIVE DATE.

WHEREAS, the emergency services response activity to incidents continues to increase each year; and

WHEREAS, Environmental Protection and Homeland Security requirements and regulations involving the use of specific equipment and response protocols continue to increase creating additional demands on the operations of the emergency response services of the City; and

WHEREAS, the Fredericksburg Fire Department and Emergency Services Departments have investigated different methods to maintain a high level of quality of emergency and non-emergency service capability and have recommended a system of cost recovery to the City Council in order to better achieve such goal and to aid in minimizing the impact on the City of Fredericksburg budget; and

WHEREAS, the City of Fredericksburg City Council desires to implement the said recommendations;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS:

That Chapter 11 EMERGENCY MANAGEMENT AND SERVICES ARTICLE V EMERGENCY SERVICES COST RECOVERY SECTIONS 11-102 through 11-104 and the fees set forth in Appendix A Fee Schedule, Article 27 EMERGENCY SERVICES COST RECOVERY FEES of the Code of Ordinances of the City of Fredericksburg be and are hereby adopted as follows:

ARTICLE V. EMERGENCY SERVICES COST RECOVERY

Sec. 11-102 Fee Collection Authorized

(a) The owner or occupant of a structure, vehicle, or property to which the fire department or other department of the City of Fredericksburg (the "City") provides

fire suppression, emergency management services, vehicle extrication, hazardous material mitigation, or other fire department services, (collectively referred to in this article as "Emergency Response Services") or any person or entity causing the need for the City's Fire or Emergency Services Department to respond and/or provide any emergency response service (the "Responsible Party") shall pay the cost of such service, which shall include both the base response fees (which may be imposed by other provisions of the Code of Ordinances of the City of Fredericksburg) and the Cost Recovery Fees. Cost Recovery Fees are set forth in the Appendix A of this Code of Ordinances and are hereby found to not exceed the City's actual expense in providing such emergency response services. The fees enacted herein apply to any Emergency Response Services rendered by the City to whatever property or person, whether within the City of Fredericksburg, Gillespie County or elsewhere, if requested by any other person or entity, or if supplied by the City pursuant to any interlocal cooperation agreement.

(b) Within thirty (30) days of the date of providing Emergency Response Services, the Director of Emergency Services or his or her designee shall submit an invoice for all costs, fees, charges and expenses related to the provisions of such services to the owner, occupant or other responsible party or their designated agent, representatives and insurance companies. All such bills are to be paid within sixty (60) days of the receipt thereof.

(c) In addition to the cost of service described in subsection (a) above, any bills, fines or penalties, including but not limited to clean up costs, fees or expenses, that are incurred by the City or any State or Federal agencies and which are related to the same situation or occurrence shall be charged and billed separately and due as provided in subsection (b) above.

(d) The fees provided for herein are in addition to other fees imposed by the City in any other ordinance, and specifically are in addition to ambulance and other fees charged by the Emergency Medical Services Department of the City.

Sec. 11-103 Cost Recovery Fee Schedule

The cost recovery fees will be collected in the amounts set forth in Appendix A, **EMERGENCY SERVICES COST RECOVERY FEES** of this code.

Sec. 11-104 Enforcement

The City may enforce the provisions of this article by civil actions in a court of competent jurisdiction for the collection of any amounts due hereunder plus attorney fees, costs and expenses and to obtain any other relief that may be appropriate.

APPENDIX A FEE SCHEDULE

ARTICLE 27.000. EMERGENCY SERVICES COST RECOVERY FEES

Cost Recovery Fees are based on a per hour cost, unless otherwise noted, and will be determined based upon on the descriptions below. The Director of Emergency Services or his or her designee shall determine the levels of service and total charge based upon the following. Not all services listed in each level must be provided for that level of billing to apply. Further, Cost Recovery Rates are average billing levels, and are typical for the incident responses listed. However, the Director of Emergency Services shall determine actual services provided and may adjust the Cost Recovery Rates based on the actual services provided. These rates become effective on October 24, 2014.

(a) MOTOR VEHICLE INCIDENTS

Level 1 - \$435.00 Stabilization

Hazardous materials assessment and scene stabilization is provided. This will be the most common billing level. This applies in most cases when the fire department responds to an accident/incident.

Level 2 - \$495.00 Common materials or hazardous fluids

Includes Level 1 services as well as clean up and material used (sorbents) for clean-up and disposal of common hazardous fluid such as gasoline and diesel or common materials such as cargo spills. Billing will be at this level if the City has to clean up, or becomes liable for the costs to clean up, any gasoline or other automotive fluids that are spilled as a result of the accident/incident.

Level 3 - \$605.00 Fire Suppression

Scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and cleaning up of gasoline or other automotive fluids that are spilled as a result of the accident/incident are provided.

Level 4 - \$1,800.00 Rescue of person

Includes Level 1 & 2 services as well as extrication (heavy rescue tools, ropes, airbags, cribbing etc.). The City will bill at this level if the fire department has to free/remove anyone from the vehicle(s) using any equipment. The City will not bill at this level if the patient is simply unconscious and fire department is able to open the door to access the patient. Billing at this level will occur only if equipment is deployed.

Level 5 - \$2,200.00 Multi engine, mutual aid helicopter per transport trip

Includes Levels 1, 2, & 4 services as well as Air Care (multi-engine company response, mutual aid, helicopter). The City will bill at this level any time a helicopter is utilized to transport the patient(s).

Level 6 - Extraordinary events

Itemized Response: Billing for each incident which does not fit the above billing levels will be as an independent event with custom Cost Recovery Rates. Billing will use itemized rates deemed usual, customary and reasonable for each apparatus and personnel, plus products and equipment used.

(b) **HAZARDOUS MATERIALS** The following Cost Recovery Rates will apply for clean-up and disposal of un-common hazardous fluid or materials which require specialized services from outside sources.

Level 1 - \$700.00 Basic response

Services are provided such as engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.

Level 2 - \$2,500.00 Intermediate response

Services provided which include engine response, first responder assignment, hazmat certified team, provision of appropriate equipment, perimeter establishment, evacuations, set-up and command, as well as any of: level A or B suit donning, breathing air, detection equipment and set-up and removal of decontamination area.

Level 3 - \$5,900.00 Advanced response for a 3 hour on-scene period

Services provided which include engine response, first responder assignment, hazmat certified team, provision of appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, level A or B suit donning, breathing air, detection equipment, robot deployment. Set-up and removal of decontamination area as well as any of: recovery and identification of material, disposal and environment clean up, including any disposal charges for material and contaminated equipment and mitigation material used at scene. Each additional hour will be billed at \$300.00 per HAZMAT team.

(c) PIPELINE INCIDENTS / POWER LINE INCIDENTS

This billing level includes, but is not limited to: oil, gas, sewer, septic and water pipelines.

Level 1 - \$400.00 Basic response

Services provided include engine response, first responder assignment, appropriate equipment, perimeter establishment, evacuations, first responder set-up and command and inspection when damage or breakage is not found.

Level 2 - \$1,000.00 Intermediate response

Services provided include engine response, first responder assignment, provision of appropriate equipment, perimeter establishment, evacuations, first responder set-up and command as well as any of: HAZMAT team, level A or B suit donning, breathing air, detection equipment, and the supervision and/or assistance in pipeline repair.

Level 3 - Itemized response

Billing for each incident which does not fit the above billing levels will be as an independent event with custom Cost Recovery Rates. Billing will use itemized rates deemed usual, customary and reasonable for each apparatus and personnel, plus products and equipment used. Services provided include engine response, first responder assignment, provision of appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, HAZMAT team, Level A or B suit donning, breathing air and detection equipment, as well as any of: supervision and/or assistance with pipeline repair of intermediate to major pipeline damage, set-up and removal of decontamination center, detection, recovery and identification of material, disposal and environment clean up.

(d) POST FIRE INVESTIGATION

Fire Investigation Team - \$275.00 per hour

Services provided Include any of:

- Scene Safety
- Investigation
- Source Identification
- K-9/Arson Dog Unit
- Identification Equipment
- Mobile Detection Unit
- Fire Report

The claim begins when the Fire Investigator responds to the incident and is billed for logged time only.

(e) **FIRES**

**Level 1-Basic response- Assignment - \$400.00 per hour, per fire engine/
\$500.00 per hour, per other rescue truck**

Services provided Include:

- Scene Safety
- Investigation during incident
- Fire / Hazard Control

This will be the most common billing level applied every time the fire department responds to an incident. House fires and grass fires are examples of Basic response.

Level 2- Severe response; itemized billing

Billing for each incident which does not fit the above billing level will be as an independent event with custom Cost Recovery Rates. Billing will use itemized rates deemed usual, customary and reasonable for each apparatus and the pay rates of personnel, plus products and equipment used.

(f) **ILLEGAL FIRES**

Assignment - \$400.00 per hour, per fire engine / \$500.00 per hour, per other rescue truck

When a fire is started by any person or persons contrary to permits, regulations or controls established by local or state rules, provisions or ordinances such person or persons will be liable for any fire department response at a cost for the actual expenses incurred by the fire department or other responding departments to respond and contain the fire. The actual expenses will include direct labor at the rates of pay for personnel, equipment costs and any other costs that can be reasonably allocated to the cost of the response.

(g) **WATER RESCUE**

Level 1- Basic Response - \$400 per hour plus \$50 per hour for each rescue person

Services provided include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control).

This will be the most common billing level applied every time the fire department responds to an incident.

Level 2 - Intermediate Response - \$800 per hour plus \$50 per hour for each rescue person.

Services provided include Level 1 services as well as any of: clean up and material used (sorbents), minor hazardous clean up and disposal. The City will bill at this level if the fire department has to clean up small amounts of gasoline or other fluids that are spilled as a result of the incident.

Level 3 - Advanced Response - \$2,000 per hour plus \$50 per hour per rescue person, plus \$100 per hour per HAZMAT team member

Includes Level 1 and Level 2 services as well as any of: Drowning Accident Rescue Team activation, donning breathing apparatus, use of detection equipment, set up or removal of decontamination center, recovery and identification of material, disposal and environment clean up, including any disposal charges for material and contaminated equipment and mitigation material used at scene..

Level 4 - Severe response; itemized billing

Billing for each incident which does not fit the above billing levels will be as an independent event with custom Cost Recovery Rates. Billing will use itemized rates deemed usual, customary and reasonable for each apparatus and the pay rates of personnel, plus products and equipment used.

(h) BACK COUNTRY, WATER OR SPECIAL RESCUE

Itemized Response - \$400 plus \$50 per rescue person plus \$400 per hour for each additional response vehicle more than one.

(i) MISCELLANEOUS- these rates apply in all cases not covered above

Fire Engine billed at \$400 per hour.

Rescue Truck billed at \$500 per hour.

Miscellaneous equipment billed at \$300.

-----End of Code Text-----

SEVERABILITY OR INVALIDITY

If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, or if any exception to or limitation upon any provision contained herein be held to be unconstitutional, invalid or ineffective, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect, and to this end, the provisions of this ordinance are declared to be severable.

REPEALER

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

DEFINITIONS

Words and phrases used in this chapter shall have the meanings set forth in this section. Terms that are not defined, but are defined elsewhere in the Code of Ordinances, shall be given the meanings set forth therein. Words and phrases not defined in the Code of Ordinances shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense; words in the plural number shall include the singular number (and vice versa); and words in the masculine gender shall include the feminine gender (and vice versa). Headings and captions are for reference purposes only.

PASSED AND APPROVED this the ____ day of October, 2014.

Linda Langerhans, Mayor

City of Fredericksburg, Texas

ATTEST:

Shelley Britton, City Secretary

APPROVED:

Pat McGowan, City Attorney



A Great Place To Skate



**FREDEIRICKSBURG
SKATE-PARK**

Skate Park Project Plan Status



- Agreement signed August 2012 ■
- Concept phase completed July 2013 ■
- Bid phase completed August 2013 ■
- Design phase Fall 2014
 - City engineer completed basic lot survey ■
 - Engineering land use survey November 2014
- Total funding by 2014 year end
- Tentative breaking ground ceremony Dec 2014
- Construction phase tentative Jan 2015
- Park dedication Summer 2015

(22)

Project Budget Status



- Total estimated budget \$410,000
 - Concrete skate park \$325,000
 - Landscape/shade \$ 85,000
- Funding
 - Actuals + pledges \$314,588
 - Funding in process \$ 96,000

(21)

If this city doesn't have a skate park

(22)

the city is a skate park.



CITY COUNCIL MEMO

DATE: October 20, 2014

TO: Mayor and City Council

FROM: Kent Myers, City Manager

SUBJECT: WiFi Services-Markt Platz

Summary:

The attached proposal for WiFi services was submitted to the City following approval of the FY 2015 Budget. We currently do not have any funding budgeted for these improvements.

Recommendation:

It is recommended that the Council approve the attached proposal from Hill Country Telecommunication for \$24,148 and allocate \$5,000 as the City's share for these improvements.

Background / Analysis:

Over the past year, the City has received a number of requests from event organizers about the need for WiFi services at Markt Platz to provide continuous bandwidth to vendors and event attendees. Recently, we received additional requests for these services from representatives from the Fredericksburg School District so that local students will have a location for using their tablet PCs after school hours.

The City of Fredericksburg

23

Over the past year, Russell Immel and I have met with several WiFi vendors. It is our position that the attached proposal from Hill Country Telecommunications offers the most cost-effective alternative for providing these services. The main advantage of this proposal is that there are no on-going monthly costs for these services. The City will, however, be responsible for installation of conduit and the set up of access points during special events.

This proposal was submitted following approval of our FY 2015 Budget. Over the past several weeks, we have attempted to secure financial commitments from other entities who will benefit from these new services. To date, we have commitments from the School District for \$5,000 and Market Square Redevelopment Commission for \$2,500. We have several other requests pending with Hill Country Telecommunications, Oktoberfest and the CVB.

We are requesting that \$5,000 be approved by the City Council and we believe that we can get additional commitments to cover the remaining costs. The source of funding for this \$5,000 would be from savings of about \$32,000 in vehicle and equipment purchases identified at the last City Council meeting.

The City of Fredericksburg

24



Kent Myers, City Manager
City of Fredericksburg
126 West Main Street
Fredericksburg, TX 78028
830-997-7521

September 10, 2014
(Prices Guaranteed for 60 days)

RE: PROPOSAL FOR MARKTPLATZ WiFi DEPLOYMENT

Dear Kent,

The primary focus of this proposal is to provide stable, reliable and pervasive 2.4 GHz WiFi for student use with tablet PC's in the public area of the Marktplatz. 24 Ubiquity outdoor access points will be deployed in the pavilion areas and traverse the arbors. There will be an authentication mechanism which will allow for two hour use of the WiFi before subsequent authentication will be required. This will discourage permanent locations within signal range from pirating bandwidth for unauthorized use but allow the students ample time for schoolwork.

The secondary focus of this proposal is to provide wide-area WiFi for community events with two goals. First is to provide continuous bandwidth to the vendors during public events with a timeout of 12 hours utilizing four dedicated access points dynamically mounted to lampposts for public events. This SSID is recommended to be changed for each major event and promulgated to the vendors. This will discourage permanent locations within signal range from pirating bandwidth for unauthorized use. A second goal is to provide WiFi for general public use during community events in Marktplatz utilizing 12 dynamically mounted access points as needed for events. For the public a timeout of one hour will be invoked. Due to the high volume of potential subscribers bandwidth will need to be limited to that necessary for email, texting and minimal Internet access. It is encouraged that streaming video (Netflix, YouTube, etc.) be inhibited at the head end firewall to allow for the best overall user experience.

Scope of Work:

1. WiFi will be delivered with 2.4Ghz frequency only per 802.11N standard
2. Authentication will be via portal with Acceptable Use Policy (AUP) acknowledgement
3. General authentication will permit one hour access only, then re-authentication necessary
4. Vendor SSID will be setup separately that does not have authentication timeout
5. Student SSID will have two hour timeout
6. Bandwidth for General SSID will have bandwidth limit of 512kbps per subscriber
7. Bandwidth for Vendor SSID will have bandwidth limit of 1 Mbps per subscriber
8. Bandwidth for Student SSID will have bandwidth limit of 1 Mbps per subscriber
9. 40 access points will be installed with reasonable capability for 10 subscribers each for a total of 400 simultaneous stable and reliable connections as a minimum
10. The City of Fredericksburg will provide up to 50Mbps recommended for daily use and 200Mbps for events
11. Backhaul from Marktplatz WiFi network to City Hall will utilize 24Ghz wireless bridges
12. 110V electricity to be provided by City at each of the four outdoor switching enclosures, as well as to each of the lamp post mounted Access Points.
13. ¾" flex conduit to be provided and installed by the City the length of the Marktplatz arbor. Hill Country Telecommunications will work together with City staff to implement ingress and egress points to conduit.
14. The City of Fredericksburg will be responsible for subsequent setup and teardown of dynamically allocated access points for public events
15. Acceptable Use Policy (AUP) to be provided by the City of Fredericksburg in the form of a URL link that can be tied to entry portal page
16. The City of Fredericksburg will interact with and provide instructions for end users
17. All means will be utilized to locate equipment to inhibit vandalism, however the City of Fredericksburg is fully responsible for security of equipment
18. Ubiquity enterprise cloud based controller will be used to configure and monitor all access points as a composite network.

Equipment Deployed

1. 40 ea. Ubiquiti UniFi Enterprise class outdoor+ Access Points with 2.4 GHz frequency and dual omni antennas utilizing 802.11n wireless standard
2. 4 ea. Cisco SG200-FP PoE Layer 2 switches with VLAN and QoS capacity
3. 2 ea. Ubiquiti Air Fiber full duplex wireless backhaul radios with 24 GHz frequency and 1 Gbps throughput to transmit signal from City Hall to behind the Verein Kirche
4. 4ea. Outdoor switch enclosures to protect Layer 2 switches from the elements
5. 1,200' Cat 5e outdoor rated cabling
6. 16 ea. Outdoor enclosures for dynamically allocated access point power supplies

Summary of Costs:

Project Material:	\$ 16,308.00
Project Labor:	<u>\$ 7,840.00</u>
Total Costs for this configuration	\$ 24,148.00

These prices are exclusive of applicable taxes.

Warranty, Training and Follow-up Support:

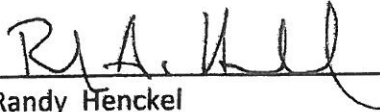
These costs include one year manufacturer's warranty against equipment defects or malfunction. Manufacturer's warranty excludes equipment problems due to customers' misuses or accidental damage.

Training City of Fredericksburg staff on the features and efficient use of the wireless equipment will be conducted after installation is complete and in follow-up service calls within the first thirty (30) days after installation.

These costs include follow-up service calls, programming adjustments and follow-up training made within the first thirty (30) days after installation.

Proposal Submitted by:

Proposal Accepted by:


Randy Henckel
Manager- Field Operations & Business Services
Hill Country Telecommunication
212 Sidney Baker South Street
Kerrville, TX 78624
830-367-5333 rhenckel@hcytc.coop

Kent Myers
City Manager
City of Fredericksburg
126 East Main Street
Fredericksburg, TX 78624
830-997-7521 kmyers@fbgtx.org

9/10/14
Date

Date



CITY COUNCIL MEMO

DATE: October 20, 2014

TO: Mayor and City Council

FROM: Clinton Bailey, P.E., Director of Public Works and Utilities

SUBJECT: Status Report on Water and Wastewater Bond Projects

Summary:

This item will provide the City Council with a comprehensive report on the status of the City's Water and Wastewater Capital Improvement Revenue Bond Projects.

In July of 2013, the City Council approved \$6.5 million in revenue bonds for water and wastewater Capital Improvements Projects. Based on preliminary construction cost estimates presented by staff, the available funding will be divided approximately equally between water and wastewater projects. On March 3, 2014, the City Council awarded an engineering professional services contract with Freese and Nichols for the engineering design and contract administration of the Water System Improvements Projects. Similarly, on May 3, 2014, the City Council approved an engineering professional services contract with HDR Engineering for the engineering design and contract administration of the Wastewater Treatment Plant (WWTP) Improvements Projects.

Recommendation:

City Staff will present a status update to the City Council on the City's Water and Wastewater Capital Improvement Revenue Bond Projects.

The City of Fredericksburg

Background / Analysis:

Water Bond Projects:

The following water projects were identified in the City's Capital Improvements Plan:

- 1) New 500,000 gallon Ground Storage Tank (GST) at South Heights
- 2) New 500,000 gallon GST at Goehmann Lane
- 3) Rehabilitation of the existing 1,000,000 gallon Windcrest GST
- 4) Construction of 12 inch Water Line within the City's upper pressure plane

In March 2014, the City Council awarded an engineering professional services contract with Freese and Nichols (F&N) for the engineering design and contract administration of the Water System Improvements Projects. Since March, City Staff has worked with F&N on the design of the Water System Improvements Projects. Below is a brief update on each project:

- 1) South Heights – 500,000 gallon GST
 - Construction of a new 500,000 gallon GST at the South Heights site
 - The new tank will be constructed in the same location as the existing steel tank that is currently in service
 - City staff will let a separate contract for the demolition of the existing steel tank
 - F&N has completed 90% drawings and specifications for the new 500,000 gallon GST; 100% plans will be completed by the end of October
 - The project is tentatively scheduled to bid in the January/February 2015 timeframe with a construction time of 180 days
- 2) Goehmann Lane - 500,000 gallon GST
 - Construction of a new 500,000 gallon GST at the existing Goehmann Lane site
 - F&N has completed 90% drawings and specifications for the new 500,000 gallon GST; 100% plans will be completed by the end of October
 - The project is tentatively scheduled to bid in the January/February 2015 timeframe with a construction time of 180 days
- 3) Windcrest - Rehabilitation of the existing 1,000,000 gallon GST
 - The rehabilitation of the Windcrest Tank will include interior and exterior coatings, repair of the steel roof, site remediation and miscellaneous yard piping improvements
 - Project began advertising on October 8, 2014; the bid opening date is scheduled for October 29, 2014

The City of Fredericksburg

- Project construction will begin in November, 2014 with a construction time of 180 days
- 4) 12 inch Water Line for Upper Pressure Plane
 - Construction of a new 12 inch water line to provide redundancy and additional capacity to the City's upper pressure plane
 - City is currently reviewing 90% drawings and specifications
 - City staff is in the process of acquiring easements for the installation of the 12 inch water line across private property
 - The project is tentatively scheduled to bid in the March/April 2015 timeframe with a construction time of 120 days

Wastewater Bond Projects:

The following wastewater projects were identified in the WWTP Master Plan and included as part of the revenue bond:

- 1) Mechanical aeration basin improvements
- 2) Sludge dewatering process expansion
- 3) Disinfection and chemical storage improvements
- 4) Site security (fence and gate) improvements, including green landscaping
- 5) Process flow control (RAS/WAS control) modifications
- 6) New administration building
- 7) Gravity thickener piping modifications

In May 2014, the City Council approved an engineering professional services contract with HDR Engineering for the engineering design and contract administration of the Wastewater Treatment Plant (WWTP) Improvements Projects. Since May, City Staff has worked with HDR on the design of the WWTP rehabilitation projects.

In June 2014, Council approved the purchase of 6 – 30 HP floating brush aerators which were installed at the plant to improve treatment in the aeration basin in order to meet the City's wastewater effluent discharge permit limits authorized by TCEQ.

HDR Engineering is currently working on the 60% drawings and specifications. The schedule to submit the 60% drawings and specifications to the City is the end of October, 2014. The project is scheduled to advertise for bid in the January/February 2015 timeframe with a construction completion date of February, 2016.

The City of Fredericksburg

(31)